

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 31, 1995

SUBJECT: **SB 1497**

This bill, if enacted, will be known as the *Environmental Justice Act of 1995* for the purpose of preventing minority communities and low income communities from being subject to disproportionately high and adverse environmental effects. This bill is intended to supplement enforcement of Title VI of the Civil Rights Act of 1964, which requires consistent and effective implementation of nondiscriminatory practices in programs receiving federal financial assistance. The bill specifies that:

1. Within three months of the effective date of this bill, the Commissioner of the Department of Environment and Conservation, or his designee, is to convene an interagency state working group on environmental justice comprised of nine departments plus other government officials.
2. The working group is to provide guidance, serve as a clearing house, coordinate data research, examination and collection, hold public hearings and develop model projects on environmental justice.
3. Each state agency shall develop an agency-wide environmental justice strategy to list programs, policies, planning and public participation processes, enforcement, and/or rulemaking related to human health or the environment. A timetable is outlined which includes (1) develop an internal administrative strategy process within four months; (2) outline an environmental justice strategy within six months; (3) propose a strategy to the working group within 10 months; (4) finalize the strategy and identify and schedule implementation of specific

projects within 12 months; and (5) report on implementation progress within 24 months.

4. The Commissioner of the Department of Environment and Conservation and Economic and Community Development are to submit a report to the governor within 14 months.
5. Requires environmental human health research to be conducted to identify multiple and cumulative exposures to such populations as minority populations, low-income populations and workers who may be exposed to environmental hazards.
6. Each state agency is to collect, maintain, and analyze information on race, national origin, and income level to assess and compare environmental and human health risks. Information acquired is to be shared with government agencies and the public.

The fiscal impact from enactment of this bill is estimated to be an increase in state expenditures of \$62,000 and a one-time increase of \$23,000 for two (2) positions, one withinin the Department of Environment and Conservation and one within the Department of Health to administer the provisions of this act. Even though provisions of the act call for expenses relating to the act to be absorbed, the actual effect of such actions would be a diversion of staff from another area which would have to be replaced in that area.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director